

# WILLKIE FARR & GALLAGHER LLP

MARY EATON  
212 728 8626  
meaton@willkie.com

787 Seventh Avenue  
New York, NY 10019-6099  
Tel: 212 728 8000  
Fax: 212 728 8111

April 9, 2019

## VIA ECF

The Honorable Valerie E. Caproni  
U.S. District Court, Southern District Of New York  
Thurgood Marshall Courthouse  
40 Foley Square, Room 240  
New York, NY 10007

Re: *Samit and Lantz v. CBS Corporation, et al.*, No. 1:18-cv-07796-VEC

Dear Judge Caproni:

Pursuant to Your Honor's instructions during the parties' telephonic conference with Chambers yesterday afternoon, we write on behalf of the Moving Defendants<sup>1</sup> and with the consent of all parties to memorialize the Moving Defendants' request to file an omnibus brief of 50 pages or fewer in support of their consolidated motion to dismiss Plaintiff's Amended Complaint for Violations of the Federal Securities Laws (the "Amended Complaint") (ECF No. 59).

On April 5, 2019, the Court issued an order permitting the Moving Defendants to "file an opening brief in support of their motion to dismiss that is no longer than forty pages" and granting Lead Plaintiff permission to file a brief in opposition of the same length. (ECF No. 72.) On April 8, 2019, the Moving Defendants sought an increase in the permitted page length of their opening brief, citing, *inter alia*, the number of defendants, the number of alleged misstatements, and the complexity of the issues.

Based on our conversation with Your Honor's law clerk, we understand that the Court has granted the Moving Defendants' request for a page enlargement from 40 pages to 50 pages on the condition that the Moving Defendants comply with the form requirements set forth in Your Honor's Individual Practices in Civil Cases and the Local Rules, and that the Moving Defendants submit a letter memorializing their request. We also understand that the Court has granted an equivalent

---

<sup>1</sup> The Moving Defendants comprise 16 of the 17 named Defendants—namely, CBS, Joseph R. Ianniello, Lawrence Liding, David Rhodes, David R. Andelman, Joseph A. Califano, Jr., William S. Cohen, Gary L. Countryman, Charles K. Gifford, Leonard Goldberg, Bruce S. Gordon, Linda M. Griego, Robert N. Klieger, Martha L. Minow, Doug Morris, and Shari Redstone. The Moving Defendants do not include Defendant Leslie Moonves, who we understand intends to file a separate motion to dismiss.

The Honorable Valerie E. Caproni  
April 9, 2019  
Page 2

enlargement from 40 pages to 50 pages to Lead Plaintiff for its opposition brief to the Moving Defendants' motion to dismiss.

We thank the Court for its consideration.

Respectfully submitted,

*M. Eaton*

Mary Eaton

cc: All Counsel of Record (via ECF)